IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2289 OF 2004
IN
WRIT PETITION NO.550 OF 2002

Shri Shankar B.Chalekar & Ors. ..Applicants
V/s.
The State of Maharashtra & Ors. ..Respondents

Mr.Harendar Toor with S.B.Pawar i/by Lex Consultus for the applicants.

Mr.S.R.Nargolkar AGP for Respondent Nos.1 to 6 & 8.

Coram : R.M.LODHA & R.S.MOHITE,JJ

Date : 21.03.2005.

PC

. Heard the learned Counsel for the applicants.

2. Prayer (a) does not deserve to be granted during the pendency of the Writ petition. As a matter of fact, this is one of the main reliefs in the Writ petition.

3. As regards prayer-(b), we direct the Assistant Government Pleader to state on affidavit the present status of the enquiry said to have been initiated by the District Collector of the Revenue, Dist. Pune into the allegations of the manipulation in the record. The said affidavit shall be filed in the main Writ petition within 4 weeks from today. In the affidavit the time within which the said enquiry is to be completed shall also be stated, if enquiry has not been completed until date.

4. In so far as prayers-(c) & (d) are concerned, we are of the view that they are incidental to the main reliefs prayed for in the Writ petition and therefore, may be properly considered at the time of hearing and disposal of the Writ petition.

5. With the aforesaid observations, Civil application is disposed of.

6. Liberty to apply for fixing the date of hearing if Writ petition is not heard within 6 months from today.

(R.M.LODHA,J)

(R.S.MOHITE,J)